

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

DON GIBSON, LAUREN CRISS,
JOHN MEINERS, and DANIEL UMPA,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

NATIONAL ASSOCIATION OF
REALTORS, et al.

Defendants.

Case No. 4:23-cv-00788-SRB
[Consolidated with 4:23-cv-00945-SRB]

PLAINTIFFS' UNOPPOSED MOTION FOR EXTENSION OF TIME

Plaintiffs respectfully request that the Court enter an order extending until September 13, 2024, the time to respond to Defendants' Motions to Dismiss and Motions to Strike filed on July 15 – 16, 2024. In support of this Motion, Plaintiffs state:

1. Defendants filed their Motions to Dismiss and Motions to Strike on July 15 and July 16, 2024. Plaintiffs' deadlines to respond to the Motions to Dismiss and Motions to Strike are July 29 and 30, 2024.
2. Plaintiffs respectfully request an extension of time, up to and including September 13, 2024, to respond to Defendants' Motions to Dismiss and Motions to Strike, specifically:
 - a. Defendant The K Company Realty, LLC's Motion to Dismiss for Lack of Personal Jurisdiction and Improper Venue (Doc. 298);
 - b. Defendant Real Estate One, Inc.'s Motion to Dismiss for Lack of Personal Jurisdiction, Improper Venue and Failure to State a Claim (Doc. 300);

- c. Defendant NextHome, Inc.’s Individual Motion to Dismiss Plaintiffs’ Consolidated Amended Class Action Complaint (Doc. 302);
- d. Defendant William Raveis Real Estate Inc.’s Motion to Dismiss (Doc. 305);
- e. Defendant William Raveis Real Estate Inc.’s Motion to Strike Class Action Allegations (Doc. 306);
- f. Defendant Hanna Holdings Inc.’s Motion to Dismiss for Lack of Personal Jurisdiction or, in the Alternative, to Transfer to the Western District of Pennsylvania (Doc. 308);
- g. Weichert Co.’s Motion to Dismiss for Lack of Personal Jurisdiction (Doc. 311);
- h. Weichert Real Estate Affiliates, Inc.’s Motion to Dismiss for Lack of Personal Jurisdiction (Doc. 313);
- i. Defendant Crye-Leike Inc.’s 12(b)(2) and 12(b)(3) Motion to Dismiss for Lack of Personal Jurisdiction and Improper Venue (Doc. 315);
- j. Defendants John L. Scott, Inc., and John L. Scott Real Estate Affiliates, Inc.’s Motion to Dismiss Pursuant to Federal Rules of Civil Procedure 12(b)(2) and 12(b)(3) for Lack of Personal Jurisdiction and Improper Venue (Doc. 316);
- k. Defendant Crye-Leike Inc.’s 12(f) Motion to Strike Class Action Allegations as to Class Members Who Waived the Right to Participate in a Class Action (Doc. 319);
- l. Defendants eXp World Holdings, Inc. and eXp Realty LLC’s Rule 12(f) Motion to Strike Class Allegations as to Arbitrating Class Members (Doc. 323);
- m. Defendant Baird & Warner Real Estate, Inc.’s Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(2) (Doc. 330);

- n. Motion of Defendants The Keyes Company and Illustrated Properties, LLC, to Dismiss for Improper Venue, Lack of Personal Jurisdiction, and Failure to State a Claim (Doc. 332);
 - o. Berkshire Hathaway Energy Company's Motion to Dismiss for Lack of Personal Jurisdiction and Improper Venue (Doc. 333);
 - p. Motion of Defendants The Keyes Company and Illustrated Properties, LLC, to Strike Class Allegations to Protect Arbitration and Class Action Waiver Rights (Doc. 336);
 - q. Corporate Defendants' Motion to Dismiss Plaintiffs' Consolidated Amended Class Action Complaint (Doc. 339);
 - r. Defendants eXp World Holdings, Inc. and eXp Realty, LLC's Rule 12(b)(6) Motion to Dismiss (Doc. 341);
 - s. Berkshire Hathaway Energy Company's Motion to Strike Class Allegations as to Arbitrating Class Members Under Fed. R. Civ. P. 12(F) and to Dismiss for Failure to State a Claim Under Fed. R. Civ. P. 12(B)(6) (Doc. 343);
 - t. Defendant Windermere Real Estate Services Company Inc.'s Motion to Dismiss for Lack of Personal Jurisdiction and Improper Venue (Doc. 353); and
 - u. Defendant William L. Lyon & Associates, Inc. dba Lyon Real Estate's Motion to Dismiss for Lack of Personal Jurisdiction and Improper Venue (Doc. 356).
- 3. No prior extensions of these deadlines have been requested by Plaintiffs.
 - 4. Counsel for Plaintiffs consulted with counsel for Defendants, who do not oppose the requested extension of times.

5. Counsel for Defendants requested that the time period for their Reply briefs be extended by two weeks, to October 11, 2024. Plaintiffs do not oppose that request.

6. This Motion is not filed for the purpose of delay or harassment and will not cause prejudice as the Motion is consented to by all parties.

WHEREFORE Plaintiffs request that this Court enter an Order granting Plaintiffs an extension of time up to and including Plaintiffs respectfully request an extension of time, up to and including September 13, 2024, to respond to Defendant The K Company Realty, LLC's Motion to Dismiss for Lack of Personal Jurisdiction and Improper Venue (Doc. 298); Defendant Real Estate One, Inc.'s Motion to Dismiss for Lack of Personal Jurisdiction, Improper Venue and Failure to State a Claim (Doc. 300); Defendant NextHome, Inc.'s Individual Motion to Dismiss Plaintiffs' Consolidated Amended Class Action Complaint (Doc. 302); Defendant William Raveis Real Estate Inc.'s Motion to Dismiss (Doc. 305); Defendant William Raveis Real Estate Inc.'s Motion to Strike Class Action Allegations (Doc. 306); Defendant Hanna Holdings Inc.'s Motion to Dismiss for Lack of Personal Jurisdiction or, in the Alternative, to Transfer to the Western District of Pennsylvania (Doc. 308); Weichert Co.'s Motion to Dismiss for Lack of Personal Jurisdiction (Doc. 311); Weichert Real Estate Affiliates, Inc.'s Motion to Dismiss for Lack of Personal Jurisdiction (Doc. 313); Defendant Crye-Leike Inc.'s 12(b)(2) and 12(b)(3) Motion to Dismiss for Lack of Personal Jurisdiction and Improper Venue (Doc. 315); Defendants John L. Scott, Inc., and John L. Scott Real Estate Affiliates, Inc.'s Motion to Dismiss Pursuant to Federal Rules of Civil Procedure 12(b)(2) and 12(b)(3) for Lack of Personal Jurisdiction and Improper Venue (Doc. 316); Defendant Crye-Leike Inc.'s 12(f) Motion to Strike Class Action Allegations as to Class Members Who Waived the Right to Participate in a Class Action (Doc. 319); Defendants eXp World Holdings, Inc. and eXp Realty LLC's Rule 12(f) Motion to Strike Class Allegations as to

Arbitrating Class Members (Doc. 323); Defendant Baird & Warner Real Estate, Inc.'s Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(2) (Doc. 330); Motion of Defendants The Keyes Company and Illustrated Properties, LLC, to Dismiss for Improper Venue, Lack of Personal Jurisdiction, and Failure to State a Claim (Doc. 332); Berkshire Hathaway Energy Company's Motion to Dismiss for Lack of Personal Jurisdiction and Improper Venue (Doc. 333); Motion of Defendants The Keyes Company and Illustrated Properties, LLC, to Strike Class Allegations to Protect Arbitration and Class Action Waiver Rights (Doc. 336); Corporate Defendants' Motion to Dismiss Plaintiffs' Consolidated Amended Class Action Complaint (Doc. 339); Defendants eXp World Holdings, Inc. and eXp Realty, LLC's Rule 12(b)(6) Motion to Dismiss (Doc. 341); Berkshire Hathaway Energy Company's Motion to Strike Class Allegations as to Arbitrating Class Members Under Fed. R. Civ. P. 12(F) and to Dismiss for Failure to State a Claim Under Fed. R. Civ. P. 12(B)(6) (Doc. 343); Defendant Windermere Real Estate Services Company Inc.'s Motion to Dismiss for Lack of Personal Jurisdiction and Improper Venue (Doc. 353); and Defendant William L. Lyon & Associates, Inc. dba Lyon Real Estate's Motion to Dismiss for Lack of Personal Jurisdiction and Improper Venue (Doc. 356) and extending until October 11, 2024 the time for Plaintiffs to file any Reply Suggestions.

Dated: July 22, 2024

Respectfully submitted by:

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Attorneys for Plaintiffs and the Class

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of July 2024, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send a notice of electronic filing to counsel of record for this case.

/s/ Jeremy M. Suhr _____
Attorney for Plaintiffs